

**Community Advisory Group (CAG)**

**Libby Asbestos Superfund Site**

March 29, 2010

**Session Summary**

**SESSION OBJECTIVES**

1. Review final CAG goals for 2010.
2. Discuss and describe a desired working relationship between the CAG and EPA and DEQ representatives.
3. Update attendees and address current and emerging issues.
4. Affirm the calendar.

**CAG MEMBERS IN ATTENDANCE**

Brad Black (County Health Officer)	Betty Challinor (ARDNET; CHC)
Mike Giesey (CARD)	K. W, Maki (Libby Schools)
Gary Swenson (LVFD)	Leroy Thom (TAG)
Bill Patten (St John's Lutheran Hospital)	
Virginia Tribe (Facilitator)	

**TECHNICAL CONSULTANTS/OBSERVERS**

Nicole Bein – Environmental Protection Agency (EPA)  
Mike Cirian – EPA  
Victor Ketellapper - EPA  
Catherine LeCours - Montana Department of Environmental Quality (DEQ)

**COMPLETED AGENDA ITEMS**

**Approving the Summary of the February 2010 CAG Meeting**

CAG members in attendance approved the February 25 meeting summary without changes.

**Update on CAG Planning Committee Members**

While Eileen Carney agreed to serve as a member of the CAG Planning Committee, she was unable to attend this meeting due to prior commitments.

## **General Updates**

### **What's happened since we met in February?**

Leroy reported on the March 9 TAG meeting where Elizabeth Mack, chair of Lock Lord's environmental section, attended. Ms. Mack has some working relationship with business and home owners in the community and had indicated that she wanted to meet the various groups in the community. She did not do a presentation at the TAG meeting and left at the end of the meeting.

### **Update on Troy involvement**

Gary invited a member of the Troy community to tonight's meeting but he was unable attend – he will keep trying. Mike will also invite others and all CAG members are encouraged to find Troy folks who might be willing attend.

### **What's happening with OU1 and OU2 Plans?**

- Victor reported that, at this point, EPA will probably issue a Record of Decision (ROD) rather than an Interim ROD for Operating Units 1 and 2 sometime late this spring. He explained that EPA officials did not feel that this was the appropriate place for that kind of document. He also explained that EPA is moving ahead with a Cumulative Risk Assessment.
- After problem-solving discussion with CAG members who described their concerns about opportunities to introduce new science and the importance of an overall view of the operating units after a ROD is issued, Victor agreed to draft language that would discuss flexibility in the ROD to acknowledge the stated concerns of the community and the need to be flexible based on future information. He also suggested the use of flexible language in the Risk Assessment and stated that EPA would ask members of the CAG and other community advising groups to provide input as to how that flexible language might appear. While the CAG is not an approval group, Victor agreed to have that draft language available for review and further discussion at the CAG April meeting. Rebecca Thomas will probably attend in Victor's place and he will brief her on tonight's meeting and problem-solving discussion.

### **Tasks related to the County Health Board**

- Mike reported that he sent the CAG governance framework to the County Health Board and that they agreed to exchange meeting summaries. Brad reiterated the value of having a member of the CAG, TAG and Health Board attend each other's meetings – and Leroy stated the importance of a regularly scheduled meeting where all would attend (i.e., quarterly, semi-annually, etc.). The CAG will continue to work toward that end.
- It was noted in the Group's discussion that "cross pollination" among community advising groups assists with community focus and consensus when describing its needs, goals, and requests.

**Desired Working relationship between CAG and the Environmental Protection Agency (EPA)**

- The CAG views EPA involvement as an opportunity to rebuild communication with the community. The CAG offers its assistance to that end with an attitude that we can and should work together to solve community problems resulting from the Libby asbestos situation.
- EPA appreciates the current CAG governance framework and looks forward to rebuilding a position working relationship.
- An EPA representative will attend CAG meetings unless notified that agenda items will not require their attendance at a particular meeting.
- When information is sought from EPA, CAG commits to providing them with questions/topics one month in advance of a CAG meeting – acknowledging that there may not be questions/topics for every CAG meeting. The CAG recognizes that there may be times when the EPA representative is not able to respond at the meeting and needs to get additional information and/or clarification from the Agency.
- The CAG appreciates an EPA representative who has the authority and knowledge to actively participate in discussion and problem-solving at the table.

**Desired Working Relationship between CAG and the Montana Department of Environmental Quality (DEQ)**

- The CAG seeks an interactive relationship with DEQ and hopes to advance that relationship through active DEQ representation at each CAG meeting.
- DEQ appreciates the current CAG governance framework and looks forward to a positive working relationship.
- DEQ will attend CAG meetings unless notified that agenda items will not require their attendance at a particular meeting.
- When information is sought from DEQ, CAG commits to providing them with questions/topics one month in advance of a CAG meeting – acknowledging that there may not be questions/topics for every CAG meeting. The CAG recognizes that there may be times when the DEQ representative is not able to respond at the meeting and needs to get additional information and/or clarification from the Agency.
- The CAG appreciates a DEQ representative who has the authority and knowledge to actively participate in discussion and problem-solving at the table.
- CAG will continue to seek active involvement from the community of Troy and wants the people of Troy to understand the important relationship with DEQ.

### **Current Operational Structure**

Victor and Catherine presented and explained the Libby Project Team and who is responsible for overall lead and individual Operating Units.

### **Reviewing/Discussing CAG Goals through 2010**

**CAG members presented their 2010 goals as follows (not in any rank order). CAG did not expect approval and/or agreement – but rather an understanding that these are the goals of the CAG for the next year:**

1. Develop common goals with DEQ and where appropriate, EPA.
2. Invite and integrate Troy representatives on the CAG.
3. Establish an EPA funded ombudsman to be a go-between for homeowners and EPA/DEQ for cleanup issues.
4. Working with the County Health Board, sponsor an EPA funded national symposium in Libby to review current/new science and the Proposed Plans. Assure that the most current science and data are used as the Proposed Plan moves forward.
5. Assist EPA in rebuilding its communication with the community.

**After clarifying questions and discussion, CAG members and EPA and DEQ representative agreed to have the following as agenda items for the CAG April and May meetings:**

Goal 3 - Establish an EPA funded ombudsman to be a go-between for homeowners and EPA/DEQ for cleanup issues:

- Discuss the definition of “ombudsman” including Betty’s term of “residents advocate” and how that kind of position might apply here.
- Explore a possible “job description” based on that discussion including the importance of clear expectations for all those involved.
- Talk about realistic possibilities... where to go from here.

Goal 4 - Working with the County Health Board, sponsor an EPA funded national symposium in Libby to review current/new science and the Proposed Plans. Assure that the most current science and data are used as the Proposed Plan moves forward.

- Discuss/flesh out the notion of a “symposium” including the purpose; possible topics; important questions to be addressed; expectations and concerns of CAG, EPA and DEQ; potential cost and various funding possibilities; etc.
- Come to tentative agreement on how to move ahead.

Goal 1 – Develop common goals with DEQ and where appropriate, EPA.

- Begin discussion toward common goals at the May CAG meeting.

## **Where do we go from here?**

### **Affirming the Calendar**

CAG meetings are scheduled from 6:00 to 8:00 PM at St. John's Hospital Conference Center (old church on river side of the Hospital) on the following dates:

- April 19
- May 12
- June 10

The CAG will revisit the calendar at the May meeting and schedule for the remainder of the 2010 calendar year with the intent of establishing a consistent monthly day/date.

### **April Agenda Items**

In addition to the items listed above pertaining to goal discussion, the April agenda will include:

- Review of draft "flexible" language from EPA
- Discussion about the possibility of again inviting a Montana Department of Public Health and Human Services representative to CAG meetings;
- Ongoing discussion regarding Troy involvement in CAG;